

PB# 82-10

**Silver Stream
Sales Office**

Silver Stream Sales Office. 82-10
Site Plan

4/7/82
 TC
 6/14/82
 \$25
 for

General Receipt 4877

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

Received of Lester Clark Silver Str. Apr 29 19 82
Trl. Sales \$ 25.00

Twenty-five and 00/100 DOLLARS

For App. Fee 82-10

DISTRIBUTION		
FUND	CODE	AMOUNT
25.00		
Cash		

By Pauline G. Townsend cm
Town Clerk

General Receipt 4922

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

Received of Hudnew Co. Silver St. Trl. Park June 14 19 82
Sales \$ 95.00

Ninety-five and 00/100 DOLLARS

For 15.00 Bal. Site Plan + 20.00 Additional Building 82-10

DISTRIBUTION		
FUND	CODE	AMOUNT
95.00		
Cash		

By Pauline G. Townsend cm
Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

Received 6/14/82
J. J. [Signature]

HUDVIEW CO.
PETTY CASH ACCOUNT-HUDSON VIEW TERRACE

NO. 142
1982 1-108/280

PAY TO THE
ORDER OF TOWN OF NEW WINDSON
FIVE HUNDRED AND XX/100

\$ 500.00
DOLLARS



HIGHLAND FALLS OFFICE
MARINE MIDLAND BANK
HIGHLAND FALLS, NEW YORK 10928

John F. Houch

⑆02800108⑆⑆083300299⑆0142

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARINGS SCHEDULED BEFORE THE ZBA
DATE: May 17, 1982

Kindly be advised that the following public hearing(s) are scheduled to be heard before the Zoning Board of Appeals:

Date: May 24, 1982

Application for use variance of SILVER STREAM CO.
for trailer sales lot on Route 207, which matter
was adjourned from May 10, 1982;

previously furnished

I have ~~attached~~ copies of the application(s) and
pertinent public hearing notice(s) pertaining to same.

Pat

/pd

~~Enclosure~~

cc: Howard Collett, Bldg./Zoning Inspector



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

Date: May 25, 1982

Stephen L. Reineke, Esq.
LEVINSON, REINEKE & ORNSTEIN
P. O. Box 244
Central Valley, N. Y. 10954

RE: APPLICATION BEFORE THE ZONING BOARD OF APPEALS
82-6 - Silver Stream Co.

Dear Steve:

This is to confirm that your above application before the
New Windsor Zoning Board of Appeals was granted
at a meeting held on the 24th day of May, 1982.

A formal decision will be drafted and acted upon at a later
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do
not hesitate to call me. Best wishes.

Very truly yours,

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd .

cc: Howard Collett, Bldg./Zoning Inspector
Town Planning Board ✓

Planning Bd.

TOWN OF WEST WINDSOR

ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

82-6
(Number)

4/27/82
(Date)

1. Applicant information:

CHARLES J. and PETER BIVONA

191 Lakeside Road

(a) Newburgh, New York 12550

(Name, address and phone of ~~xxxxxxx~~) OWNER

SILVER STREAM CO.

(b) 285 Route 304, Nanuet, N.Y. 10954

(Name, address and phone of purchaser or tenant) Applicant

STEPHEN L. REINEKE

928-9444

(c) P.O. Box 244, Central Valley, N.Y.

565-6844

(Name, address and phone of attorney)

(d)

(Name, address and phone of broker)

II. Application type:

- ☒ Use variance
☒ Area variance
☐ Sign variance
☐ Special permit

III. Property information:

- (a) NC Route 207 3 1 33 1.67 acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? A P
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 1973
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. N/A
- _____
- _____



IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table USE, Column A, to allow

Permit use of property for Recreational Motor Vehicle
(Describe proposed use)
and Mobile Home Sales and Accessory uses subject to
Mobile Home Local Law - As defined in USE #4, District C
Tale of USE Regulations

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

SEE ATTACHED STATEMENT



V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>80,000 sq. ft.</u>	<u>70.872</u>	<u>9,128 sq. ft.</u>
Min. Lot Width <u>200 feet</u>	<u>286</u>	<u>NONE</u>
Reqd. Front Yard <u>60</u>	<u>60+</u>	<u>NONE</u>
Reqd. Side Yards <u>30/70</u>	<u>15/30</u>	<u>15/30</u>
Reqd. Rear Yard <u>30</u>	<u>15</u>	<u>15</u>
Reqd. Street Frontage* _____ 6" per foot	_____	_____
Max. Bldg. Hgt. <u>nearest lot line</u>	<u>7.5</u>	<u>17.5</u>
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** <u>.7</u>	_____	<u>NONE</u>

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

SEE ATTACHED STATEMENT



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?



VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)



IX. Attachments required:

- ___ Copy of letter of referral from Building and Zoning Inspector.
 - ___ Copy of contract of sale, lease or franchise agreement.
 - ___ Copy of tax map showing adjacent properties
 - ___ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
 - ___ Copy(ies) of sign(s) with dimensions.
 - ___ Check in amount of \$_____ payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ___ Other

STATEMENT ATTACHED TO
APPLICATION OF
SILVER STREAM CO.

Premises identified Sec. 3, Block 1, Lot 33, Town of New Windsor.

Applicants, who have contracted the acquisition of the subject premises are the owners of the SILVER STREAM TRAILER PARK, located on the opposite side of Route 207 and set back some distance from that highway. In order for a trailer park to successfully develop and to promote the replacement of older mobile homes with the higher valued, more esthetic appearing new units, it is necessary for the development to have a highly visible sales lot. Since the existing park is set back some distance from Route 207, any lot located thereon would not be visible to the public.

The use requested is permitted in the C Zone of the Town, However the only area so zoned is miles away at the border with the Town of Cornwall and accordingly, no site there would be beneficial for the applicant.

The subject site itself is unique in that while it is located within the N C Zone, it is surrounded on three sides by the lands of the Metropolitan Transportation Authority and the fourth side abutts Route 207. Since the surrounding property consists of airport lands and virtually isolates the subject premises from the balance of the zone, it is submitted that the Use Variance is appropriate in that it will not affect the use of any of the surrounding property and in fact, upon removal of the run-down apartment building and sheds located on the premises will actually result in an improvement to the general vicinity.

Since the subject property is the only such parcel isolated in the N C Zone in close proximity to the mobile home development it is the only property that would be appropriate for the proposed use and the inability to use it as a sales lot would create a tremendous financial hardship for the operation of the existing park.

STATEMENT WITH RESPECT TO AREA VARIANCE

At the outset, it is noted for the Board that the applicant could conceivably complete the application with the sole area variance required being one of minimum lot area and that portion of the application is for a little more than an eleven (11%) per cent variance of the required lot size. Applicant believes that the lot area side and rear yard together with maximum building height requirements for the proposed use were designed primarily for purposes of esthetics and further to keep the proposed use from reducing the value of the adjoining premises. Since the subject property is surrounded entirely by the lands of the M.T.A. and further as can be seen from the plan, extensive plantings will be installed to buffer the subject lot from the adjoining proper-

ties, it is submitted that the variance requested is not substantial in relation to the requirements. The variance will have no impact whatsoever on increased demand for municipal services and rather than adversely effect adjoining properties, it should in fact increase the value of the area of the Town in general.

The applicant believes that the granting of the area variance will allow a space esthetically pleasing and yet, properly buffered use of the property which would be more desirable than strict compliance with the rear and side yard restrictions. The sole necessity for the building height variance is by virtue of the proximity of the units to the side yards. However, applicant

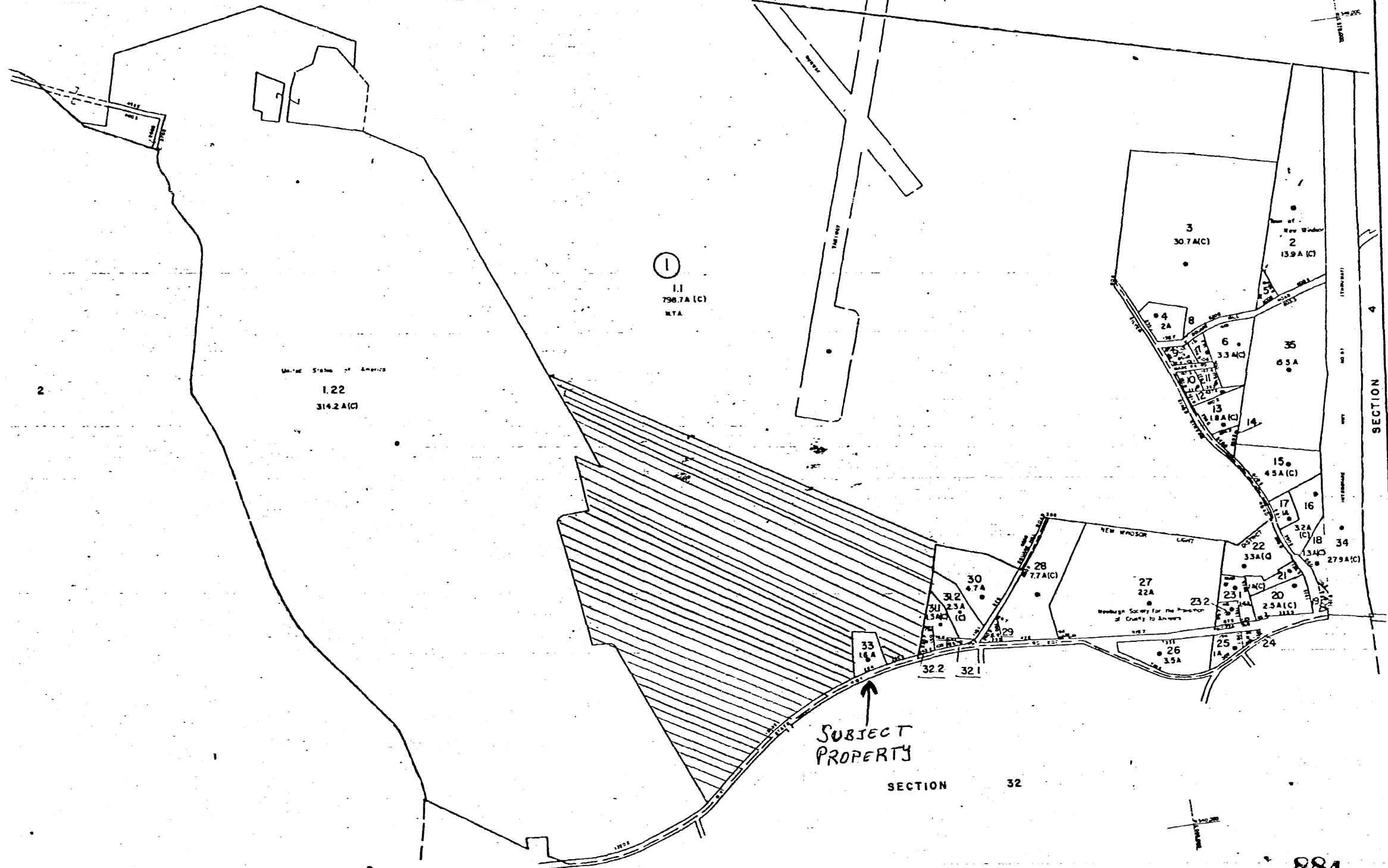
believes that after a period of time for development the plantings as shown on the annexed plan will for all intents and purposes isolate the units in close proximity to the adjoining vacant land and thereby effectively comply with the spirit and intention of the area requirements.

CONCLUSION

The applicant is aware that any variance granted by this Board would still leave the premises subject to the site plan review and approval by the Planning Board of the Town. The applicant further believes that due to the unique location of the subject premises as can be more clearly seen by the copy of the Tax Map annexed hereto and that fact coupled with the proposed plan together with the plantings shown thereon all support applicant's request for the variances sought under this application.

-3-

LEVINSON & REINEKE • ATTORNEYS AT LAW • P O BOX 244 • CENTRAL VALLEY, NEW YORK 10917 • (914) 928-9444



1

1.1
796.7A (C)
M.Y.A.

United States of America

1.22
314.2 A(C)

SUBJECT
PROPERTY

SECTION 32

SECTION 33

SECTION 34

884

ALL VALS GATE FIRE DISTRICT

X. AFFIDAVIT

Date April 26th, 1982

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

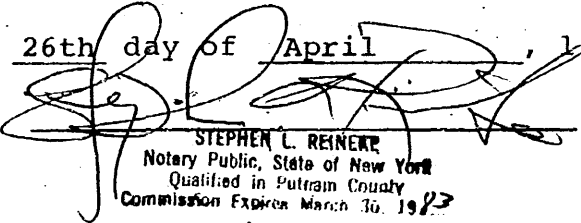
SILVER STREAM CO.

By: 

(Applicant)
LESTER CLARK

Sworn to before me this

26th day of April, 1982.


STEPHEN L. REINERT
Notary Public, State of New York
Qualified in Putnam County
Commission Expires March 30, 1983

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Ordinance on the following proposition:

Appeal No. 5

Request of Village of Cornwall-on-Hudson

for a VARIANCE ~~XXXXXXXXXXXX~~ of
the regulations of the Zoning Ordinance to
permit insufficient side yard clearance of

new water metering building.

being a VARIANCE ~~XXXXXXXXXXXX~~ of
Section 48-12, Table Bulk Regulations, Column 7

for property situated as follows:

one mile north on Riley road from intersection of
Route 94 and Riley Road, adjacent to the Town of New
Windsor Water Filtration Plant.

SAID HEARING will take place on the 10 day of
May, 1982, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

Richard Fenwick
Chairman

April 29, 1982

TOWN OF DE WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE OR SPECIAL PERMIT

82-5
(Number)

April 28, 1982
(Date)

I. ☒ Applicant information:

Village of Cornwall-on-Hudson
3-5 River Avenue, Cornwall-on-Hudson, New York 12520 (914) 534-4200

(a)

(Name, address and phone of Applicant)

(b) N/A

(Name, address and phone of purchaser or lessee)
Charles Lee Quaintance

(c) Empire National Bank Building, Highland Falls, NY 10924 (914) 446-4961

(Name, address and phone of attorney)
Wehran Engineering, P. C.

(d) 666 E. Main Street, Middletown, NY 10940 (914) 343-0660

(Name, address and phone of Broker)
Agent

II. Application type:

- ☒ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☒ Special permit

✓III. Property information:

(a) R4A Riley Road 65 1 20 400 Depth X 150 Wide
(Zone) (Address) (S B L) (Lot size)

(b) What other zones lie within 500 ft.? R2

(c) Is a pending sale or lease subject to ZBA approval of this application? No

(d) When was property purchased by present owner? Oct. 1964

(e) Has property been subdivided previously? No When? _____

(f) Has property been subject of variance or special permit previously? No When? _____

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No. If so, when _____

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. None



IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table USE Regs., Column A, to allow (See also 48-24)

Section 48-9, Table USE Regs. Col. B (FP-4)
(Describe proposed use)

USE by Special Permit for Public Utility (municipality) to construct and operate new water metering building in connection with water transmission main

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

Availability of water resource to serve Village of Cornwall-on-Hudson Catskill Water Filtration Plant has been contemplated since mid 1960's.
Construction of this municipal public utility metering building has been a long awaited project and would be an unnecessary hardship for such a small structure and its appurtenances. This aqueduct tap is site specific for service of water to Village plant for quite some period of time.



V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Bk. Regs., Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>15,000 Sq. Ft.</u>	<u>59,764 Sq. Ft.</u>	<u>None</u>
Min. Lot Width <u>100 Ft.</u>	<u>150 Ft.</u>	<u>None</u>
Reqd. Front Yard <u>35 Ft.</u>	<u>50 Ft.</u>	<u>None</u>
Reqd. Side Yards <u>15 / 30 Ft.</u>	<u>7.5 / 134 Ft.</u>	<u>7.5 / 0</u>
Reqd. Rear Yard <u>40 Ft.</u>	<u>310 Ft.</u>	<u>None</u>
Reqd. Street Frontage* <u>60 Ft.</u>	<u>151.3 Ft.</u>	<u>None</u>
Max. Bldg. Hgt. <u>35 Ft.</u>	<u>8-1/2 Ft.</u>	<u>None</u>
Min. Floor Area* <u>1,000 Sq. Ft.</u>	<u>128 Sq. Ft.</u>	<u>872 Sq. Ft.</u>
Development Coverage* <u>30 %</u>	<u>1.1 %</u>	<u>28.9 %</u>
Floor Area Ratio** <u>N/A</u>	<u>N/A</u>	<u>N?A</u>

* Residential districts only

** Non-residential districts only



- ✓
(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.



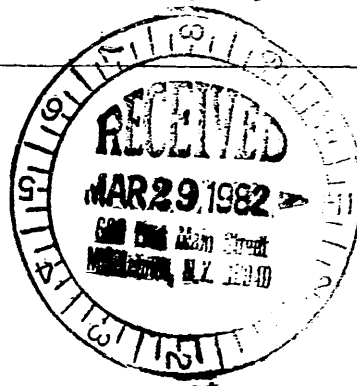
VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?





VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section 48-35, Table USE Regs. Column B (FP-4).
See also 48-33 pg. 4880, 8881
- (b) Describe in detail the use and structures proposed for the special permit.

New water metering building, transmission main, and appurtenances for water resource purposes, serving municipal public utility--Village of Cornwall-on-Hudson. One story structure with brick face on reinforced concrete below grade basement structure. Unoccupied residence, requiring periodical maintenance of operation equipment for monitoring accurately water consumption use.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Reference hereinbefore Article V(b). Presently adjacent property is vacant to the north, and the south is occupied by the Town of New Windsor Water Plant. No residential homes are within subject area, also new metering building is brick structure the size of a utility shed or small garage. Entrance is via gravel drive to unoccupied building; landscaping is limited to immediate vicinity outside building. The native terrain now and in the future will remain undisturbed, with the exception of water line, building, and existing electrical/telephone lines.



IX. Attachments required:

3 Copy of letter of referral from Building and Zoning Inspector.

N/A Copy of contract of sale, lease or franchise agreement.

3 Copy of tax map showing adjacent properties

3 Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

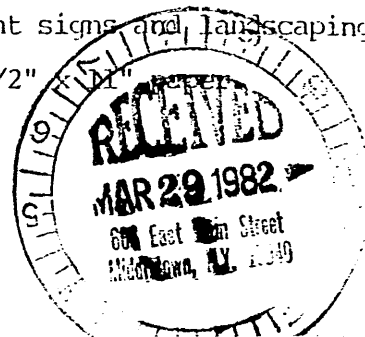
N/A Copy(ies) of sign(s) with dimensions.

N/A Check in amount of \$ _____ payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

N/A All photos must be 8" x 10" or be mounted on 8 1/2"

N/A Other



X. AFFIDAVIT

Date April 28, 1982

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

Agent

The undersigned Applicant/ being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Richard J. Castaldo, Jr.
(Applicant)
Agent

Richard J. Castaldo, Jr.
Wehran Engineering, P. C.
Middletown, New York

Sworn to before me this

28 day of April, 1982.

MARY E. JOHNSON
Notary Public in the State of New York
Residing in Sullivan County
Commission Expires March 30, 1983

Mary E. Johnson
Notary Public

Client: Village of Cornwall-on-Hudson
3-5 River Avenue
Cornwall-on-Hudson, New York

XI. ZBA Action:

(a) Public Hearing date May 10, 1982

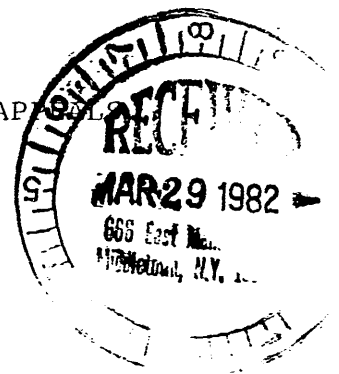
(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

Recommended by Owner's Agent--no periodical renewal for special permit
required.

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS



TOWN OF NEW WINDSOR PLANNING BOARD

APPLICATION FOR SITE PLAN APPROVAL

Name Silver Stream Sales office
Address 285 Route 304, Nanuet N.Y. 10954

1. Owner of the property Silver Stream Co
2. Location of the property: Northern side Rte 207
3. Zone area NC
4. Nature of business: Mobile Home Sales office
5. Lot size: Front 186.62 Rear 182.29 Depth 276.72
359.59
6. Building setbacks: Front yard 58' Rear yard 15'
Side yards 15'
7. Dimensions of new building Mobile Homes Various Sizes
not permanent
Addition _____

If addition, state front, side, rear of existing structure:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expense for advertising of Public Hearing or meetings will be paid. Also, any legal or engineering fees for review of this project.

(Signed: Hudson Co. John A. Carl
(APPLICANT))

Maps Required for:

Planning Board
Highway Dept.
Sanitation Dept.
Water Dept.
County Planning Board
Building Inspector

Action of the Zoning Board of Appeals

